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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/677,318

10/03/2003

Medhat A. Toukhy

2003US310

9492

26289

7590

03/02/2007

AZ ELECTRONIC MATERIALS USA CORP.

ATTENTION: INDUSTRIAL PROPERTY DEPT.

70 MEISTER AVENUE

SOMERVILLE, NJ 08876

EXAMINER

SCHILLING, RICHARD L

ART UNIT

PAPER NUMBER

1752

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
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3 MONTHS

03/02/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/677,318

Applicant(s)

TOUKHY ET AL.

Examiner

Richard L. Schilling

Art Unit

1752

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 February 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 and 11-46 is/are pending in the application.
- 4a) Of the above claim(s) 16-31 and 38-46 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9, 11-15, 32-37 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 2-23-07 has been entered. The amendment after final has been entered.

2. Claims 6 and 7 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The intended differences in scope between claim 6 and independent claim 11 and between claim 7 and claim 12 are indefinite.

3. Claims 1-9, 11-15 and 32-37 are rejected under 35 U.S.C. 102(e) as being fully met by Mizutani et al.'869. Mizutani et al. (col. 2, lines 41-60 ; col. 4, lines 33-49; col. 28, lines 10-59) disclose antireflection layers comprising polymers and basic compounds including guanamine and benzimidazole adhesion promoters.

4. Claims 13-15 are rejected under 35 U.S.C. 102(e) as being fully met by Neisser et al. for the same reasons as set forth in paragraph 2 of the first office action filed 7-12-06. Claim 13 is not limited to particular bases.

5. Claims 13-15 are rejected under 35 U.S.C. 102(b) as being fully met by Pawlowski et al.'750 for the same reasons as set forth in paragraph 4 of the first office action.

6. Claims 1-9, 11-15 and 32-37 are rejected under the first paragraph of 35 USC 112 as being broader than the enabling disclosure for the same reasons as set forth in paragraph 4 of the final office action filed 11-20-06.

7. Claims 1-9, 11-15 and 32-37 are rejected under 35 U.S.C. 102(b) as being fully met by Hasegawa et al. or Sato et al. Hasegawa et al. (col. 26, line 56-col. 28, line 13) discloses coating compositions with polymers , photoacids that absorb imaging radiation and basic amine compounds including purines, adenines and guanine. The layers would inherently reduce reflection if used as an underlayer at least to some extent. The instant claims only materially require the presence of the basic compounds. Sato et al. (paragraphs 101-109) disclose coating compositions comprising polymers, photoacids, optional dyes and basic amine compounds including purines.

8. Claims 1-9, 11-15 and 32-37 are rejected under 35 U.S.C. 102(e) as being fully met by Nishimura et al. Nishimura et al. (col. 50, lines 1-40 ; examples 3,4,8,10,11) disclose coating compositions with polymers, photoacids and basic amine compounds including purines and benzimidazoles.

9. Iwasaki et al. and Yasunami et al. are cited of interest as disclosing coating compositions comprising basic amine compounds.

Any inquiry concerning this communication should be directed to Richard L. Schilling at telephone number 571-272-1335.

RICHARD L. SCHILLING
PRIMARY EXAMINER
GROUP 1752

